

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

FILED  
SCRANTON

FEB 27 2013

DEPUTY CLERK  
*[Signature]*

CHARLES D. JURBALA,  
Plaintiff

:  
:  
:  
CIVIL NO. 3:12-CV-1092

v.

:  
:(JUDGE NEALON)

WARDEN HOLT, ET AL.,  
Defendants

:  
:(MAGISTRATE JUDGE CARLSON)

**ORDER**

NOW, THIS 27<sup>th</sup> DAY OF FEBRUARY, 2013, for the reasons set forth in the  
Memorandum issued this date, **IT IS HEREBY ORDERED THAT:**

1. The United States is **SUBSTITUTED** as the sole Defendant in this action;
2. The only remaining claim is Plaintiff's FTCA claim against the United States;
3. Plaintiff's request for specific sums of unliquidated damages is **STRICKEN**;
4. The Clerk of Court is directed to **SERVE** the original complaint, (Doc. 1), a copy of this Order, and a copy of the Memorandum and Order dated January 30, 2013, (Docs. 10-11), on the United States in accordance with Rule 4 of the Federal Rules of Civil Procedure;
5. Defendant is requested to waive service pursuant to Rule 4(d)<sup>1</sup>; and
6. This matter is **REMANDED** to Magistrate Judge Carlson for further proceedings.

*W. Neal Neal*  
\_\_\_\_\_  
United States District Judge

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<sup>1</sup>The Marshal will send the form Notice of Lawsuit and Request for Waiver of Service of Summons to Defendant.